

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Ulema Arrazzaq, :
: :
Petitioner(s), : Case Number: 1:13cv349
: :
vs. : Judge Susan J. Dlott
: :
Warden, London Correctional Institution, :
: :
: :
Respondent(s). : :
:

ORDER

The Court has reviewed the Report and Recommendation of United States Magistrate Judge Stephanie K. Bowman filed on March 4, 2014 (Doc. 15), to whom this case was referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) expired February 17, 2015, hereby ADOPTS said Report and Recommendation.

Accordingly, petitioner's petition for a writ of habeas corpus pursuant to 28 U.S.C. §2254 (Doc. 6) is DENIED with prejudice.

A certificate of appealability will not issue with respect to the claims alleged in the petition, which have been addressed on the merits herein, because petitioner has not stated a "viable claim of the denial of a constitutional right," nor are the issues presented "adequate to deserve encouragement to proceed further." *See Slack v. McDaniel*, 529 U.S. 473, 475 (2000) (citing *Barefoot v. Estelle*, 463 U.S. 880, 893 & n.4 (1983)). *See also* 28 U.S.C. 2253 (c); Fed. R. App. P. 22(b).

With respect to any application by petitioner to proceed on appeal in *informa pauperis*, the Court will certify pursuant to 28 U.S.C. 1915(a)(3) that an appeal of any Order adopting the

Report and Recommendation will not be taken in “good faith,” therefore petitioner is DENIED leave to appeal *in forma pauperis* upon a showing of financial necessity. *See* Fed. R. App. P. 24(a); *Kincade v. Sparkman*, 117 F.3d 949, 952 (6th Cir. 1997).

IT IS SO ORDERED.

s/Susan J. Dlott
Judge Susan J. Dlott
United States District Court